

EXHIBIT 35

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National Prescription Opiate Litigation Discovery
Teleconference
2019.07.18 Discovery Telecon-Portenoy

1 SPECIAL MASTER DAVID COHEN: Okay. Well,
2 thank you all for getting together on the phone
3 today. And I guess that the subject at the moment
4 is Dr. Portenoy's deposition. And I tried to kind
5 of give some guidance on a few of the issues. And
6 I know that the parties have been--well, I assume
7 the parties have been chatting a little bit about
8 how to make all this work.

9 So, I'll let you bring up the issues as
10 you see them to the extent that they still need
11 to be resolved, and whoever wants to start can go
12 ahead and start.

13 AMY LUCAS: I think it might make sense--
14 --this is Amy Lucas from O'Melveny for the
15 Defendant--I think it might make sense for me to
16 start.

17 SPECIAL MASTER DAVID COHEN: That's
18 fine.

19 AMY LUCAS: Your guidance says... Sorry,
20 what was that?

21 SPECIAL MASTER DAVID COHEN: That's
22 fine, go ahead. I said that's fine, go ahead.

23 AMY LUCAS: We wanted to, first and
24 foremost, just make sure that the record is clear
25 about the timing issue and any suggestions delay.

1 Because we disagree on that front, which I don't
2 know that it'll impact where we net out. But--

3 SPECIAL MASTER DAVID COHEN: Go ahead.

4 AMY LUCAS: From--since April 26th, when
5 Judge Polster's order came out, we were right in
6 the middle of expert deposition. And then close
7 to seeing claim effects for depos went beyond
8 April. Then we went right into 90 expert
9 depositions and reports from the defense. Then we
10 went right into 13 [UNINTEL] and nearly 30
11 summary judgment motions at the end of June.

12 So, I think--I don't know, I think I
13 speak on behalf--at least of all the defendants,
14 that it's been completely nonstop, can't come up
15 for air. That being said, and Polster's ordered
16 this day you can take a late deposition, you
17 still have six months, you just need adequate
18 time to prepare for trial.

19 That being said, given the cross-
20 noticing issues, which we may have some
21 disagreement depending on where Mark is coming
22 out on what he intends to do with Dr. Portenoy.
23 We're fine with the April 15th and 16th dates.

24 SPECIAL MASTER DAVID COHEN: You mean
25 August, but go ahead.

1 AMY LUCAS: Sorry, yes. Actually, April
2 2020 is fine, too.

3 WOMAN 1: That works for me.

4 AMY LUCAS: August 15th and 16th dates
5 we will accept. So, I think, from our
6 perspective, the only issue to discuss is the
7 scope of the cross notices and the view for the
8 Oklahoma transcript.

9 On the scope of cross noticing, we
10 don't have issues or objections to non-MDL state
11 plaintiff being afforded the right to cross-
12 notice and come in and ask their questions. Where
13 we--

14 WOMAN 1: Amy, wait, hold on, I'm sorry.
15 You cut out for like a second and this is really
16 important so I want to make sure I hear you
17 correctly. You said--sorry, go ahead, can you say
18 that again?

19 AMY LUCAS: We don't have objection to
20 non-MDL parties having an opportunity to ask
21 their questions for their state case. Where--this
22 is where it depends on what Mark has in mind--we
23 would have objection to the MDL Track 1
24 Plaintiffs coming in and taking--asking questions
25 for several reasons.

1 Number one, the order from Judge
2 Polster specifically says that this is a sanction
3 and it's Defendant's deposition. Number two, they
4 already have a declaration. And, number three,
5 they have a contractual obligation from Dr.
6 Portenoy to come in and provide live trial
7 testimony, which the contract says they will then
8 seek to use that live reported testimony in other
9 cases.

10 So, I'll stop there and maybe I'll let
11 Mark respond, and then we can talk about the
12 Oklahoma depo transfer.

13 WOMAN 1: Sorry, if I may, I'm the
14 attorney for the witness. I would object because
15 to [UNINTEL] Cohen's point, it is my
16 understanding that there is a 215 deposition of
17 one or more of the [UNINTEL] taken by the
18 Kentucky Attorney General's Office, which I had
19 absolutely nothing to do with any of this, that
20 Perdu said that Plaintiff should not be able to
21 retread on. And Plaintiff accepted that, to my
22 understanding.

23 So, I mean, I think that--to that
24 point, that this should be, as [UNINTEL] Cohen
25 said, every effort should be made to make this

1 Dr. Portenoy's only deposition both in and
2 outside the MBL. And I would ask that I think the
3 entirety of the Oklahoma deposition should be
4 used and rereading by anyone should be
5 discouraged.

6 AMY LUCAS: So, I think what you're
7 raising is a different issue. The rereading
8 issue in our [UNINTEL] separate.

9 WOMAN 1: In my [UNINTEL] way, there are
10 two issues in there. One of them is, I think,
11 everybody to be able to ask him questions, and
12 I'm willing to be flexible in terms of timing in
13 order to make that happen. So that Dr. Portenoy's
14 only subject to deposition one time. But everyone
15 has a full and fair opportunity to propose to
16 him.

17 And then, secondly, which we can table,
18 I would want to reread considering the entirety
19 of those Oklahoma depositions. But we can take
20 them one at a time.

21 AMY LUCAS: I think maybe Mark can find
22 a way--or Ackerman--

23 DAVID ACKERMAN: This is David--yeah,
24 Amy, let me go. This is David Ackerman. And let
25 me address the point you've made about the MBL

1 plaintiffs. Though, obviously, we would object to
2 any deposition that would go forward where the
3 Plaintiffs would not have the opportunity to
4 question the witness, you know, to address the
5 three points that you made, first of all, I don't
6 think your reading of Judge Polster's April 26th
7 order is correct. What Judge Polster said is that
8 the failure to disclose was not harmless because
9 there was still plenty of time in which
10 Defendants could take a deposition, and that the
11 sanction was not the deposition; the sanction is
12 that Plaintiffs had to pay the reasonable
13 attorneys' fees up to \$100,000. That's the
14 sanction. The sanction has nothing to do with who
15 could question Dr. Portenoy, when they could
16 question Dr. Portenoy, or about what they could
17 question Dr. Portenoy.

18 So, your argument is based on an over-
19 reading of Judge Polster's order. The fact that
20 there is a declaration means absolutely nothing
21 as to whether or not we can ask questions at a
22 deposition, nor does any contractual agreement.
23 There will be--we will want the opportunity to
24 cross-examination Dr. Portenoy, who you have
25 noticed for a deposition. And just like any

1 deposition that goes on in this case and just
2 like every deposition that has gone on in this
3 case, the Plaintiffs are entitled to an
4 opportunity to cross-examine a witness who the
5 Defendants have questioned.

6 AMY LUCAS: Now, do you have--just so
7 Special Cohen has it in his mind and he
8 understands what the parties' positions are--do
9 you have in mind a cross that is limited to the
10 scope of the Defendant's examination, or do you
11 have in mind a trial cross or a trial examination
12 of Dr. Portenoy? Because those two things are not
13 necessarily the same thing at all.

14 DAVID ACKERMAN: That's something that I
15 have to confer with my co-counsel about. I'm not
16 prepared at this point to tell you what type of
17 questioning we want to do, although maybe if Mark
18 Menear is on and wants to weigh in, he can.

19 MARK MENEAR: Thank you. Special Master
20 Cohen, this is Mark Menear. I come at this from a
21 perspective of someone who's starting trial in a
22 few months--actually, it's April now. It got
23 bumped. In the Viox case. It's the last one left.
24 I tried the first Viox case in 2005, so I'll be
25 trying this 15 years after that.

1 And what we've learned as we've been
2 preparing it is that so many of these
3 depositions, the witnesses have long since died
4 and we're playing depositions we never dreamed
5 we'd be playing as depositions. Any time you've
6 got a witness like Dr. Portenoy and we've got a
7 chance to take his deposition, I think it defies
8 common sense to raffle that deposition into a box
9 where the limitations are put on counsel for
10 being able to ask and take a good, clean, clear
11 deposition that can be played in the event of
12 witness unavailability.

13 And so if we're going to take Dr.
14 Portenoy's deposition here, it would be my
15 contention that you should parcel out time, as
16 you've done in other depositions, and the parties
17 can use that time however they see fit, and the
18 parties can take the deposition as they see fit.

19 Certainly there is a danger in using
20 your time to retread over old testimony that's
21 available somewhere else. But by the same token,
22 in the interest of trying to get a deposition
23 that will flow well for the jury in the event the
24 doctor is unavailable to testify live, sometimes
25 it's critical to do that because you can't very

1 well play a video deposition of a doctor and then
2 say, okay, at this point we're going to break the
3 deposition because I want to read this sentence
4 from the Oklahoma testimony, and then we'll pick
5 back up. That's an absurdity that makes a mockery
6 of our technology and ability.

7 So, yes, I think there's a need to play
8 a good, clean deposition, which means you've got
9 to have the freedom to ask those questions. And
10 my suggestion to you would be that you complete
11 it. Divide up the time as you see fit, as you've
12 done countless depositions thus far, and if
13 necessary, you can preside over the deposition
14 and the parties can use their time as they see
15 fit.

16 AMY LUCAS: So, if I may respond before
17 we move on from this, to what David Ackerman said
18 about the order, there's at least five references
19 to the deposition going forward in that order.
20 And every single one of them says that the
21 Defendant will be able to take it and there's
22 absolutely no reference to the Plaintiff.

23 And I cannot believe that the order was
24 meant to function as a reward of some kind, so
25 the Plaintiff's allowed them after everything

1 occurred to--in addition to having the
2 declaration, in addition to having the [UNINTEL]
3 to use the Oklahoma deposition--to then have a
4 third bite at the apple by getting the trial
5 deposition of Dr. Portenoy.

6 So, I think that is not remotely the
7 intent of the order and we strenuously object to
8 any suggestion that this sanction--to provide
9 Plaintiffs with that tactical advantage. So,
10 that's that. In terms of the Oklahoma--

11 WOMAN 1: Can I jump in to clarify
12 something for a moment? Amy, did you just say
13 that it's been ruled that the Oklahoma deposition
14 is admissible in the MDL?

15 AMY LUCAS: No, I said to the extent.

16 WOMAN 1: Oh, okay. Go ahead.

17 AMY LUCAS: The militating factor that I
18 think is pretty key here is if you look at the
19 agreement between the MDL Plaintiff--and I do
20 appreciate, Mark, that you were not here when all
21 of this happened back in January and February--
22 the agreement says that Dr. Portenoy agrees to
23 provide testimony in the event that any of the
24 cases in the pending or anticipated litigation go
25 to trial. And then at the end of the quad, that

1 the Plaintiff will seek to use Dr. Portenoy's
2 recorded trial testimony thereafter.

3 So, what Mark's talking about--I
4 understand that he would like a good, clean piece
5 of testimony, but that is contemplated
6 specifically between Dr. Portenoy and the
7 Plaintiff as happening at trial.

8 SPECIAL MASTER DAVID COHEN: Do you want
9 to respond, Mark, to that last point?

10 MARK MENEAR: Yeah, absolutely. I think
11 under the federal rules, I'm not allowed to play
12 his deposition at trial if he is available. I'm
13 only allowed to play his deposition if he is not
14 available. So, I'd be taking his deposition--my
15 definition, because I don't anticipate him being
16 available at trial. Perhaps if he's available,
17 the deposition does not get played and there is
18 zero bias, prejudice, or effect to the Defendant
19 for me having been able to take that clean
20 deposition.

21 I'm not allowed under the rules to play
22 the deposition unless he's unavailable. But if he
23 is unavailable, if he's--the last case I tried,
24 the woman got hit by a car and was unavailable to
25 testify. An expert. If something happens, God

1 forbid, and he is not available to testify, then
2 I've got a deposition.

3 So, she set up a strawman here by
4 saying that I've got to put him on live. If I
5 agree I do have to put him on live and if I'm
6 doing that, then the fact that I took a
7 deposition has zero harm to the Defendant. If,
8 however, he is for some reason not able to go
9 online, then the fact that I did not take a
10 complete deposition is an extreme prejudice to
11 the Plaintiff. I mean, to me, I would like the
12 opportunity to use my time as I see fit, if you
13 are so disposed to give us time.

14 AMY LUCAS: If I might respond to that
15 point, which is somewhat new? What I think Mark's
16 saying is exactly proving my point about the
17 third bite at the apple. Because under the
18 contract, he's going to provide testimony at
19 trial and they're going to use that recorded
20 testimony going forward.

21 If, as Mark said, he's not available in
22 the MDL trial--like, God forbid, he gets run over
23 by a bus--they have the Oklahoma deposition,
24 which has already been locked in, and we would
25 have no objection to that being played. But what

1 he's--

2 DAVID ACKERMAN: Well, hold on.

3 AMY LUCAS: But he's testifying here,
4 what he's contemplating is, in fact, the third
5 bite at the apple. Because he wants both the
6 deposition and the MDL, and the ability to call
7 him at trial.

8 DAVID ACKERMAN: Special Master Cohen,
9 this is David Ackerman. Just to be clear. The
10 Oklahoma deposition, while we think it's helpful,
11 is not a substitute. It's not a deposition that
12 was taken by counsel in this case. And to say
13 that the counsel in this case is not entitled to
14 ask questions of Dr. Portenoy because some
15 counsel in another case already asked questions
16 is certainly beyond, I think, any ruling that has
17 already gone on in this case.

18 SPECIAL MASTER DAVID COHEN: Why don't
19 we go to the second issue, I guess, which is the
20 Oklahoma dep?

21 MAN 1: Yeah, and I think we're there.
22 The question is in terms of streamlining the
23 deposition, whether Defendants should be entitled
24 to revisit subjects they have already--that they,
25 Defendants, Janson in particular, who was a

1 Defendant in Oklahoma, have already questioned
2 Dr. Portenoy on.

3 And this is what Ms. Spencer was
4 referring to earlier, which is that when we were
5 talking about the deposition of Richard Sackler
6 and setting ground rules for that, one of the
7 things that Perdu was adamant about was that
8 Plaintiffs not retread and make it simply a
9 duplicate of that 2015 deposition in the Kentucky
10 AG's case.

11 We believe that same concept applies
12 here. You know, Defendants have been adamant
13 about cross-noticing depositions wherever they
14 can and insisting that people don't get deposed
15 twice. They are now seeking to depose a witness
16 twice, and in some respects they should be bound
17 by their prior questions and testimony the
18 elicited.

19 AMY LUCAS: I think I'm having a little
20 bit of trouble understanding what the Plaintiff's
21 position is on the Oklahoma depo. I understand
22 that they don't want retreading, and we actually
23 don't have a big problem with that unless there's
24 some reason to cover slightly similar ground. We
25 don't--there's no real objection there.

1 Where there is an objection... Well,
2 I'll stop there and I would like maybe David to
3 explain what they want to do with the Oklahoma
4 transcript. Because it seems as if he and Mark
5 were saying somewhat different things. That David
6 wants the Oklahoma deposition in because he
7 doesn't want anybody to retread, but Mark does
8 not because he wants to ask his own questions.

9 MARK MENEAR: Yeah, Judge, Mark Menear
10 here, and with due respect to David, who's just
11 an incredible lawyer and is properly articulating
12 what he has been prepared to articulate, I will,
13 as trial counsel, call an audible on this. And
14 say from my perspective, I ought to be able to
15 use my time as I see fit to ask the questions I
16 think are most pertinent to the trial that we'll
17 be doing in Federal Court in Cleveland, which is
18 very different than the trial with the limited
19 defendants and the limited perspective of
20 Oklahoma.

21 And I think I ought to have the freedom
22 to do that. And I think the good [UNINTEL] rule
23 engages here, and I think the Defendants, once
24 you carved up the time, ought to have the freedom
25 to ask a deposition--whatever they want to cover

1 in such a way that they need to make theirs flow
2 well for trial if, God forbid, this witness is
3 not available to come to trial.

4 So, I'm going to audible on what David
5 was saying, because I think it's only fair for
6 both sides to be able to do that. You're very
7 careful with the time you a lot and we're big
8 girls and boys and we ought to be able to choose
9 how to use that time in the way that is most
10 targeted for what we've got coming up. And that's
11 our position, please.

12 SPECIAL MASTER DAVID COHEN: So, here's
13 my inclination, and let's assume that this is how
14 I rule. I'm wondering what then the parties would
15 ask. My inclination is to just let it be wide
16 open. Defendants can ask anything they want
17 including retreading prior grounds. Defendants
18 can ask anything they want, regardless of the
19 fact that they have a declaration.

20 Let's just open it all up, give you all
21 enough time, including the cross-noticing to ask
22 this fellow anything that you want about anything
23 you want, and let's just have it all in one nice
24 clean package in one place. No restrictions
25 except for the time element. You can ask whatever

1 you want.

2 This is a little bit different from
3 Sackler. Not much but a little. And, frankly, if
4 I had to redo Sackler, I think I would've opened
5 it up. And part of what happened with Sackler was
6 that the parties came to an agreement. But there
7 is no agreement here. And so that's what I'm
8 thinking.

9 The question then becomes, all right,
10 so, what do you all need? How much time does
11 everybody need? How much time should everybody
12 get, given--

13 AMY LUCAS: Well, I think, Special
14 Master Cohen, this is Amy Lucas. I think that if
15 that's the ground rules by which we might be
16 playing, then the defense group as a whole--I can
17 speak for the defense for only so much. And
18 unlike Mark, who has the luxury of making
19 decision unilaterally, I have a group of 100 or
20 so people with pitchforks if I say the wrong
21 thing.

22 SPECIAL MASTER DAVID COHEN: I
23 understand.

24 AMY LUCAS: So, what I would say is if
25 that's going to be the rule, we need to go back

1 and think about it and whether or not--since this
2 is--the whole thing is instigated by Defendants
3 noticing the deposition. And the only reason we
4 have this right is because of the order--whether
5 or not to even exercise that right.

6 SPECIAL MASTER DAVID COHEN: I'm not
7 sure I understand the last thing you're saying.
8 That you might choose not to dispose him at all?

9 AMY LUCAS: Correct. And then if Mark
10 wants to call him live, then we cross them.

11 SPECIAL MASTER DAVID COHEN: Well,
12 that's some strategery that you're free to
13 undertake. What do you need? A couple days to
14 think about it?

15 AMY LUCAS: I think so.

16 SPECIAL MASTER DAVID COHEN: Well, I
17 think that's what we should do. Because I do
18 think that that's the best way to wrap all of
19 this up and just give everybody a fair chance to
20 find out what they need to find out.

21 With regard to Portenoy, as to all
22 Defendants, I think Oklahoma was a bit of a
23 carve-out and incomplete. And so, really, it
24 seems to me that the most fair thing to do for
25 everybody is to let everybody ask whatever they

1 want and use it however they want.

2 And if you choose not to do that, if
3 Defendants choose not to do that knowing that
4 that means that Plaintiffs can call Dr. Portenoy
5 and have him at trial with all the rights and
6 limitations that that implicates, then that's
7 fine, that's Defendant's choice.

8 And I understand also that Defendants
9 speak with many voices and, therefore, need some
10 time to think about that.

11 AMY LUCAS: Right.

12 SPECIAL MASTER DAVID COHEN: If it does
13 go forward, I think it needs to go forward on
14 those dates, 8-15 and 16, I think it needs to go
15 forward in New York, I think it probably needs to
16 go forward for a couple days but that's part of
17 what I'm still trying to understand. And
18 Defendants can come back to me and say, yes, we
19 do want to take it and here's what we think is
20 fair for the number of hours. I think that's
21 everything that needs to be decided. I'm happy to
22 attend, if you need me to be there; if you don't,
23 I'm happy not to.

24 AMY SPENCER: This is Amy Spencer.
25 Special Master Cohen, because I am significantly

1 less experienced at these--I have an [UNINTEL] of
2 the other deposition that it sounds like
3 Plaintiff's counsel and defense counsel have
4 participated in. The only one that I've done in
5 this series of cases is Oklahoma and I haven't
6 cross-noticed. That was entirely, to your point,
7 an entirely a different situation that was not
8 cross-noticed.

9 If you would indulge me and kind of
10 give me a sense, I guess, a couple things. I
11 would need enough time to give just to cross-
12 notice it, both in the MDL and outside of the
13 MDL. And depending on when we actually determine
14 whether this is going to take place and what it's
15 going to look like, I am fine with August 15th
16 and 16th if that gives me enough time to cross-
17 notice it. If it doesn't, then I would ask to
18 push it out to the 22nd and 23rd for that purpose
19 only.

20 And then, two, in terms of allotting
21 time, I think--you know, I had envisioned--and
22 maybe this is something that Amy, you and David
23 or Mark and I can talk about offline--but if the
24 defendants get a certain amount of time--MDL
25 defendants get a certain amount of time, MDL

1 claimants get a certain amount of time, and then
2 kind of everybody else outside the MDL after
3 that, is that ballpark? Is that right?

4 SPECIAL MASTER DAVID COHEN: Ballpark,
5 yes. I think that, if possible, it would simply
6 be all plaintiffs and all defendants. I mean, the
7 defendants within and without the MDL I think are
8 uniform. Plaintiffs within and without the MDL
9 are largely uniform.

10 And so I would hope that there wouldn't
11 have to be kind of four entities that are
12 undertaking questions. There could be two or
13 maybe 2-1/2. But, you're right, that that's
14 something you all will just have to kind of work
15 out, I think.

16 AMY SPENCER: Okay.

17 SPECIAL MASTER DAVID COHEN: For
18 example, maybe I say--and I'm just making these
19 numbers up--in fact, I won't even make up
20 numbers. Defendants get X hours, plaintiffs get Y
21 hours. As to the proportion of X and Y that are
22 given to MDL versus non-MDL, you guys figure it
23 out, if you can, and I'll choose. Something like
24 that.

25 AMY SPENCER: Yeah.

1 MARK MENEAR: That makes sense, Judge.

2 Mark Menear here again. That makes a lot of
3 sense. And I'll represent to you and to the
4 defendants to the extent that it helps them, I
5 think that there's a good chance by the end of
6 July that, for example, the Texas judge will be
7 picking the Texas case to go to trial as a
8 bellwether. I also think that the odds are it's
9 going to be my case picked.

10 But to the extent that there would be a
11 Texas lawyer at least wanting to ask questions,
12 it's me. And so I can't speak for the other
13 states yet at this point, but I suspect I can
14 corral everybody to where I'll be doing the
15 questioning for all. We'll certainly be able to
16 figure it out without much trouble.

17 SPECIAL MASTER DAVID COHEN: So, that
18 devolves back into the question of how much time
19 you need. And I don't really know the rules from
20 state to state on how much time is necessary. If
21 this is scheduled for August 15th, I mean, I
22 assume you have to work backwards. If this is
23 scheduled for August 15th and 16th, by when do
24 you need to know from the Defendants whether or
25 not this is going to occur, so that you can get

1 your cross-noticing done? And if anybody else
2 knows the answer to that question to the extent
3 that Amy doesn't, chime in.

4 MARK MENEAR: If they could tell us
5 within a week, it would sure help us.

6 AMY LUCAS: Yeah, I think we can get
7 that done within a week for sure.

8 SPECIAL MASTER DAVID COHEN: I'm hopeful
9 that you can get it done even by COB tomorrow or
10 by COB Monday.

11 AMY LUCAS: Yeah, that's my intent.

12 AMY SPENCER: I was going to say Monday
13 for a couple reasons. Amy Spencer. Monday for a
14 couple reasons. One, as I said, full disclosure,
15 I have not cross-noticed a deposition in this
16 case yet so--but it is my understanding that is
17 quite involved and labor-intensive. And so I
18 would need to get started on that ASAP. So, yeah,
19 I would say close of business Monday.

20 SPECIAL MASTER DAVID COHEN: Can we do
21 Friday? I mean, look, it's thumbs up or thumbs
22 down. You're either going to do it or you're not.
23 It's not like you have to decide.

24 AMY LUCAS: Special Master, the only
25 wrinkle in that is tomorrow, Friday, is the day

1 that the parties are supposed to file an enormous
2 amount of very highly confusing materials
3 that...there's words for it. But all right, let's
4 go with Monday, close of business, and we'll aim
5 for tomorrow.

6 SPECIAL MASTER DAVID COHEN: Starts with
7 a C, rhymes with truck.

8 AMY LUCAS: Yes.

9 SPECIAL MASTER DAVID COHEN: Yeah. Even
10 Saturday. As soon as possible.

11 AMY LUCAS: Understood.

12 SPECIAL MASTER DAVID COHEN: And then if
13 it's going to go forward, then the tedious
14 process of cross-noticing can begin. Okay.

15 AMY LUCAS: All right.

16 SPECIAL MASTER DAVID COHEN: What else?
17 Anything else? Any other issues I can help you
18 with today?

19 MAN 1: Not for Plaintiffs, Judge.

20 AMY LUCAS: Not from Dr. Portenoy's
21 perspective either. Thank you, Your Honor.

22 SPECIAL MASTER DAVID COHEN: All right,
23 well, good luck with filing things tomorrow. I
24 know it's not going to be easy. It's just where
25 we end up being with what the Sixth circuit said.

1 Even though it's been agreed to by the parties
2 the best way it's going to go forward, it sure is
3 complicated. Just what we've got. Okay,
4 everybody, thank you all.

5 SEVERAL: Thank you.

6 SPECIAL MASTER DAVID COHEN: Bye bye.

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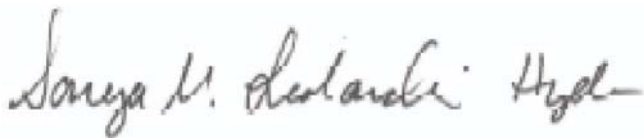
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C E R T I F I C A T I O N

I, Sonya Ledanski Hyde, certify that the
foregoing transcript is a true and accurate
record of the proceedings.

A handwritten signature in cursive script, reading "Sonya M. Ledanski Hyde", is written in black ink on a light blue rectangular background.

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Date: July 22, 2019

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